



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/642,312	08/21/2000	William H. Thompson		8020

7590

09/07/2004

Thomas B Ryan  
Eugene Stephens & Associates  
56 Windsor Street  
Rochester, NY 14605

EXAMINER
----------

NGUYEN, ALAN V

ART UNIT	PAPER NUMBER
----------	--------------

2662

DATE MAILED: 09/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

AK

# Office Action Summary

Application No.

09/642,312

Applicant(s)

THOMPSON, WILLIAM H.

Examiner

Alan Nguyen

Art Unit

2662

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 10 June 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)                                    | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-3, 5-9, 12, 15, 21-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Humpleman (US 5,940,387) in view of Abraham (US 5,625,863) and in further view of Buckley (US 6,366,840).

Regarding **claims 1, 12, 21, and 23**, Humpleman discloses an in-house signal distribution system (**see figure 2**) including:

a main input node ("**network interface unit**", **figure 4, element 32**) mounted in a structure ("**network interface units 32 are located in a utility area of the house**", **column 4, lines 43-44**) and taking at least one external signal ("**permitting a connection between a different external network and the home network**", **column 3, lines 23-24**) and converting the at least one external signal to addressed data packets conveyed in a packet stream to at least one access node ("**set-top electronics**", **figure 4, element 40, personal computer, PC 20**), each access node having a unique node address ("**the internal network is an Ethernet network**", **column 7, line 29**; also **column 11, lines 21-24 states that the access node examines the addresses of the data packets it receives and performs a routing**

**function for data that is not meant for this node.);**

each access node being an access port including a main module **(figure 4. element 40)**

a main module connector connected to the packet stream **(figure 4, element 64);**

at least one distributing connector connected to the main module **(the packet of data is transmitted from the network interface unit 32 to the set-top electronics 40 or personal computer, PC 20 column 8, lines 6-8)** and arranged for connection to at least one device, which device can be a nonvideo device **(devices includes personal computers, printers, and audio devices such audio amplifiers that play back sound through homes speakers; see col 10 lines 1-11)**, that can receive respective ones of the at least one signal distributed by the in-house signal distribution network **(figure 1, element 40 and 12);**

a packet handler that picks packets addressed to the access node from the packet stream **(The access nodes such as set-top electronics 40 and PC 20 examines the addresses of the data packets it receives and performs a routing function for data that is not meant for this node, column 11, lines 21-24);** and

the packet handler converting the picked packets back to their respective ones of the at least one signal and sending the respective ones of the at least one signal to a respective distributing connector of the access node **(column 8, lines 22-28 states that the data stream received by the set-top electronics is fed to the MPEG decoder, which decodes the data and provides it to the video decoder/encoder. The video**

**decoder/encoder converts the signal to a format suitable for use by a display device, such as a television. The MPEG decoder and video decoder/encoder is shown in figure 4, elements 70 and 72, respectively.); and**

a packet stream distributor **(figure 4, element 34)** carrying the packet stream from the main input node output port to each access node main module connector **(column 5, lines 3-8 states the internal network 34 as being interposed between the network interface units NIU and set-top electronics STE. It is further explained that the electronics of the NIU do not have to be duplicated for each STE).**

Humpleman, however, fails to expressly disclose the set-top electronics as being mounted in a wall of the structure.

Abraham teaches the use of mounting a distribution box on a wall for proximity to television sets **(see column 19, lines 41-45)** and to hide wiring **(see column 19, lines 55-57).**

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Humpleman's apparatus to incorporate a setup where the set-top electronics is mounted to a wall, the motivation being that the set-top electronics will be more accessible for connection to the end-user devices and to be able to mask wiring behind walls.

Humpleman also fails to disclose the access node to include a transceiver in wireless communication with at least one of the main input node and the at least one device.

Buckley teaches the use of wireless communication interfaces connected to each

other through a wireless medium. Buckley discloses in figure 1 a system for enabling wireless communication among a stand-alone computer, built-in vehicular display, and a trip computer. He further teaches the use of Bluetooth as a method of wireless communication as stated on column 2, lines 13-16.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Humpleman's apparatus to incorporate a setup where the set-top electronics is connected to the network interface unit and end-user device through a scheme of wireless communication, such as Bluetooth, the motivation being a more versatile system where physical wiring is not required among the nodes and where the user can move the device around the home without the hassle of wiring. Installation of the system is also made easier.

Regarding **claims 2, 3, and 6**, with the features in parent claim 1 addressed above, Humpleman, as modified, discloses the transceiver is a radio frequency transceiver ("**An available embodiment of a wireless communications medium is the Bluetooth technology**", column 2, lines 14-15 of Buckley. The wireless transceivers would be utilized by all three nodes: the network interface unit, the set-top electronics, and the end-user device).

Regarding **claim 5**, with the features in parent claim 2 addressed above, Humpleman, as modified, discloses the transceiver in the access node is a distributing connector and sends the picked packets to the at least one device (**column 8, lines 24-28 states that the data stream received by the set-top electronics is fed to the video encoder, where it is converted to a format suitable for use by a display**

**device, such as a television. The encoder is shown in figure 4, element 72).**

Regarding **claim 7**, with the features in parent claim 2 addressed above, Humpleman, as modified, discloses the access node further includes an antenna connected to the transceiver **(Buckley shows in figure 1, element 90 a transceiver device with an antenna attached).**

Regarding **claim 8**, with the features in parent claim 7 addressed above, Humpleman, as modified, discloses the antenna is embedded in a wall plate of the access node **(Buckley shows in figure 1, element 90 a transceiver device with an antenna attached. The transceiver device is attached to the set-top electronics STE, therefore it must be embedded into the wall along with the STE).**

Regarding **claim 9**, with the features in parent claim 7 addressed above, Humpleman, as modified, discloses a distributing connector receives an antenna cable, thus allowing selective connection of an antenna to the main module **(Buckley shows in figure 1, element 90 a transceiver device with an antenna attached).**

Regarding **claim 15**, with the features in parent claim 12 addressed above, Humpleman, as modified discloses the main module includes an expansion connector into which a submodule **(figure 7, element 92a; column 11, lines 49-51 also states that an extra pair of wires is available to provide picture-in-picture capability for the television. This feature denotes the system has the feature to expand)** can be inserted; and

the submodule **(figure 7, element 92a)** includes an antenna connector through which an antenna can communicate with the transceiver **(Buckley shows in figure 1,**

**element 90 a transceiver device with an antenna attached. As taught by Buckley, each transceiver would have an attached antenna).**

Regarding **claim 22**, with the features in parent claim 21 addressed above, Humpleman, as modified discloses the packet stream is generated by a main input node that takes at least one external signal (**"permitting a connection between a different external network and the home network", column 3, lines 23-24**) and converts the at least one external signal to addressed data packets carried by the packet stream to the access node (**"the internal network is an Ethernet network", column 7, line 29; also column 11, lines 21-24 states that the access node examines the addresses of the data packets it receives and performs a routing function for data that is not meant for this node.**), the at least one external signal being at least one signal for distribution, the main input node including the another transceiver, the main module connector including the transceiver, and the packet stream including radio transmissions between the transceiver and the another transceiver (**"A wireless communications medium couples a first wireless communications interface to a second wireless interface and to a third wireless interface", column 2, lines 4-18 of Buckley. The wireless transceivers would be utilized by all three nodes: the network interface unit, the set-top electronics, and the end-user device).**

Regarding **claim 24**, with the features in parent claim 23 addressed above, Humpleman, as modified, discloses the connector is an antenna connector that communicates with the transceiver and protrudes through a wall plate mounted across



an open end of the communications box **(Buckley shows in figure 1, element 90 a transceiver device with an antenna attached. As taught by Buckley, each transceiver would have an attached antenna).**

3. Claim 4 rejected under 35 U.S.C. 103(a) as being unpatentable over Humpleman (US 5,940,387) in view of Abraham (US 5,625,863) in further view of Buckley (US 6,366,840) and in further view of Lee et al (6,535,493), herein Lee.

Regarding **claim 4**, Humpleman, as modified, discloses the transceiver is a radio frequency transceiver.

Humpleman fails to disclose the transceiver uses the IEEE 802.11 standard.

Lee teaches on column 5, lines 7-12 about utilizing a network that conforms to the IEEE 802.11 standard.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Humpleman's apparatus to incorporate transceivers utilized for the embodiment uses the IEEE 802.11 standard, the motivation being a more versatile system where physical wiring is not required among the nodes and where the user can move the device around the home without the hassle of wiring. Installation of the system is also made easier, as taught by Lee.

4. Claims 25-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Humpleman (US 5,940,387) in view of Abraham (US 5,625,863) in further view of Buckley (US 6,366,840) and in further view of Taguci et al (6,163,532), herein Taguci.

Regarding **claim 25**, Humpleman, as modified, discloses A packet stream decoding access node ("**The selected program is provided by the network interface to the MPEG decoder**", **column 8, lines 22-24**) being an access port of an in-house digital network (**figure 2**) and including apparatus that receives addressed data packets from a packet stream carried by a packet stream distributor (**column 11, lines 21-24 states that the access node examines the addresses of the data packets it receives and performs a routing function for data that is not meant for this node**) and converts the addressed data packets into signals usable by devices, which can include nonvideo devices, connected to physical medium connectors of the access node (**column 8, lines 24-28 states that the data stream received by the set-top electronics is fed to the video encoder, where it is converted to a format suitable for use by a display device, such as a television**), the apparatus of the access node further including:

a main module connector (**Inherent; figure 4, element 64**) of the access node mounted on a main module of the access node (**figure 4, element 62**) and arranged to receive the packet stream from the packet stream distributor (**figure 4, element 60**);

a packet handling system connected to the main module connector that extracts from the packet stream data packets addressed to one of the access node ("**The set-top electronics examines the addresses of the data packets it receives and performs a routing function for data that is not meant for this node**", **column 11, lines 21-24**) and a device connected to the access node, the packet handling system

including a decoder that decodes the extracted data packets into a signal and sends the signal to a physical medium connector connected to the main module (**column 8, lines 22-28 states that the video decoder/encoder converts the signal to a format suitable for use by a display device, such as a television. The video decoder/encoder is shown in figure 4, element 72);**

a wireless connection between a transceiver on the main module and another transceiver external of the access node (**"A wireless communications medium couples a first wireless communications interface to a second wireless interface and to a third wireless interface", column 2, lines 4-18 of Buckley. The wireless transceivers would be utilized by all three nodes: the network interface unit, the set-top electronics, and the end-user device); and**

Humpleman fails to disclose the packet handling system sending an acknowledgment signal via the packet stream distributor when an addressed data packet has been successfully extracted from the packet stream.

Taguci teaches on column 2, lines 62-64 about acknowledgement signals (**if the packet address corresponding to the mobile data terminal equipment, the personal station transmits an acknowledgement signal"**).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Humpleman's apparatus to be able to send a signal acknowledging successful reception of the packet stream, as suggested by Taguci. The motivation is to obtain a more reliable system that can detect transmission errors or receiving errors.

Regarding **claim 26**, with the features in parent claim 25 addressed above, Humpleman, as modified, discloses the wireless connection includes the packet stream distributor, the transceiver is the main module connector, and the another transceiver is in a central node of the digital network (**"A wireless communications medium couples a first wireless communications interface to a second wireless interface and to a third wireless interface"**, column 2, lines 4-18 of Buckley. The wireless transceivers would be utilized by all three nodes: the network interface unit, the set-top electronics, and the end-user device).

Regarding **claim 27**, with the features in parent claim 25 addressed above, Humpleman, as modified, discloses the wireless connection includes extracted packets, the transceiver is a distributing connector, and the another transceiver is part of a device accessing the digital network via the wireless connection (**"A wireless communications medium couples a first wireless communications interface to a second wireless interface and to a third wireless interface"**, column 2, lines 4-18 of Buckley. The wireless transceivers would be utilized by all three nodes: the network interface unit, the set-top electronics, and the end-user device).

Regarding **claim 28**, with the features in parent claim 25 addressed above, Humpleman, as modified, discloses further including an antenna connected to the transceiver and mounted in a wall plate of the access node (**Buckley shows in figure 1, element 90 a transceiver device with an antenna attached. As taught by Buckley, each transceiver would have an attached antenna**).

Regarding **claim 29**, with the features in parent claim 25 addressed above, Humpleman, as modified, discloses further including an antenna connector on the main module, the antenna connector itself being connected to the transceiver and providing selective communication between the transceiver and the antenna (**Buckley shows in figure 1, element 90 a transceiver device with an antenna attached. As taught by Buckley, each transceiver would have an attached antenna**).

5. Claims 10, 11, 13, 14, 16-18, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Humpleman (US 5,940,387) in view of Abraham (US 5,625,863), in further view of Buckley (US 6,366,840), and in further view of Buckley (US 6,032,089).

Regarding **claims 10 and 11**, Humpleman, as modified, discloses the transceiver is a wireless transceiver.

Humpleman fails to disclose a feature where the transceiver is an infrared transceiver.

Buckley teaches on column 2, lines 59-60 about using an infrared transceiver with IrDA protocol.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Humpleman's apparatus to incorporate a setup where the transceivers utilized for the embodiment work with an IrDA scheme, the motivation being a more versatile system where physical wiring is not required among the nodes and where the user can move the device around the home without the hassle of wiring.

Installation of the system is also made easier.

Regarding **claim 13**, with the features in parent claim 11 addressed above, Humpleman, as modified, discloses the main module includes an expansion connector into which a submodule can be inserted (**figure 7, element 92a; column 11, lines 49-51 also states that an extra pair of wires is available to provide picture-in-picture capability for the television. This feature denotes the system has the feature to expand**); and

the distributing connector is on the submodule, and the distributing connector is the transceiver (**figure 7, element 92a**).

Regarding **claim 14**, with the features in parent claim 13 addressed above, Humpleman, as modified, discloses the transceiver includes an antenna connected to the submodule (**Buckley shows in figure 1, element 90 a transceiver device with an antenna attached. As taught by Buckley, each transceiver would have an attached antenna**).

Regarding **claim 16**, with the features in parent claim 11 addressed above, Humpleman, as modified, discloses the main module connector is the transceiver and the packet stream distributor includes radio transmissions between the transceiver and the another transceiver located in a central node of the in-house network.

Regarding **claims 17 and 18**, with the features in parent claim 11 addressed above, Humpleman, as modified, discloses the transceiver is a radio frequency transceiver, and uses the Bluetooth standard (**"An available embodiment of a wireless communications medium is the Bluetooth technology", column 2, lines**

**14-15 of Buckley).**

Regarding **claim 20**, with the features in parent claim 11 addressed above, Humpleman, as modified, discloses the transceiver is an IR transceiver **(Buckley discloses on column 2, lines 59-60 about using an infrared transceiver with IrDA protocol. The wireless transceivers would then be used by all three nodes: the network interface unit, the set-top electronics, and the end-user device).**

6. Claims 19 rejected under 35 U.S.C. 103(a) as being unpatentable over Humpleman (US 5,940,387) in view of Abraham (US 5,625,863), in further view of Buckley (US 6,366,840), in further view of Buckley (US 6,032,089), and in further view of Lee et al (6,535,493), herein Lee.

Regarding **claim 19**, Humpleman, as modified, discloses the transceiver is a radio frequency transceiver.

Humpleman fails to disclose the transceiver uses the IEEE 802.11 standard.

Lee teaches on column 5, lines 7-12 about utilizing a network that conforms to the IEEE 802.11 standard.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Humpleman's apparatus to incorporate a setup where the transceivers utilized for the embodiment uses the IEEE 802.11 standard, the motivation being a more versatile system where physical wiring is not required among the nodes and where the user can move the device around the home without the hassle of wiring. Installation of the system is also made easier, as taught by Lee.

### **Response to Arguments**

7. Applicant's arguments filed on 10 June 2004 have been fully considered but they are not persuasive. In response to the Office action, the applicant argues that the Humpleman reference (US 5,940,387) in combination with the Abraham (US 5,625,863) and Buckley (US 6,366,840) references fails to disclose the elements of claims 1, 12, 21, and 23 in their entirety. Regarding **claims 1, 12, 21, and 23** the Applicant states the elements of the Humpleman reference are not analogous to the respective element of the instant application. Humpleman's apparatus is a home multimedia network architecture that is interfaced with an external network to provide a multitude of signals and services to the home user through a single interface unit.

Applicant states that the network interface unit, NIU 32 and set-top electronics, STE 40 of Humpleman are not analogous to the main input node and access node, respectively. The claims state a main input node mounted in a structure and taking at least one external signal and converting the at least one external signal to addressed data packets conveyed in a packet stream to at least one access node. The embodiment of Humpleman discloses NIUs 32 that receive external signals such as ISDN, digital satellite service, FTTC, and ADSL. The NIUs are located in a utility area of the house, col 3 lines 24-32, col 4 lines 43-44. Referring to col 3 lines 45-52 and col 7 lines 25-31, the incoming data signals are distributed over an internal network utilizing Ethernet and are sent to the set-top electronics 40 or personal computer, PC 20, as shown in figure 4.



These STEs 40 provide the services to the user. Col 11, lines 21-24 states that the access node examines the addresses of the data packets it receives and performs a routing function for data that is not meant for this node.

The instant application discloses at least one distributing connector connected to the main module and arranged for connection to at least one device that can receive respective ones of the at least one signal distributed by the in-house signal distribution network, and a packet handler that picks packets addressed to the access node from the packet stream. In the Humpleman reference the packet of data is transmitted from the network interface unit 32 to the set-top electronics 40 col 8, lines 6-8. Also see figure 1, elements 12 and 40. Also, referring to column 11, lines 21-24, the set-top electronics examines the addresses of the data packets it receives and performs a routing function for data that is not meant for this node.

The Applicant states the Humpleman reference and the Abraham reference fail to show a motivation/obviousness for combining. Applicant states that the Humpleman reference does not suggest the mounting of the access node in a wall. The Examiner respectfully disagrees. Abraham's embodiment is also a home distribution system of signals that provide services to the home. Looking at col 19 lines 32-55:

Distribution box 12 is connected to home electrical wiring 34 to distribute the cable television/video signals throughout a home or building. The connection between distribution box 12 and home electrical wiring 34 will most commonly be made at a junction box or a fuse box (not shown), which in many instances will be located in proximity to the entry of cable 30 into a home or building. Typically, the cable and

Art Unit: 2662

electrical entry points into a home or building are in a basement or garage. Distribution box 12 may be of a size suitable for mounting on a wall near a fuse box or junction box and may be no more obtrusive than the fuse box or junction box. It is not necessary, however, for distribution box 12 to be located or connected to a junction box or fuse box. Distribution box 12 can be located anywhere in a building where connection to electrical wiring 34 can be made and also access all rooms, via electrical wiring 34, where television sets are to be used. Such a location will also require access to source signals such as cable television or VCRs. If only VCR signals were being distributed (i.e., 4 VCR signals to choose from), proximity to a cable television connection 30 would not be required. It is also possible to set up system 10 so that a user could select a VCR signal or a cable television signal.

It is noted that distribution box 12 is used to send cable TV/video signals throughout the home for access by TVs and VCRs. Humpleman states the system may be configured in a number of different ways within the scope of the invention, and discloses a system that can provide both business and entertainment services that cater to home users.

Humpleman discloses the need to satisfy the rapid gains in technology and to find ways to increase desirability of having distribution system of services to the home user; see col 1 lines 1-25. Abraham teaches the use of mounting distribution/access nodes mounted and screwed into the wall with cabling behind the wall. It would have been obvious to one skilled in the art to have the access nodes be located in an area that would prove to be both desirable and practical in order to cater to the home user.

The Applicant states the Humpleman reference and the Buckley reference fail to show a motivation/obviousness for combining. Applicant states that the Humpleman reference does not suggest the distribution system having wireless capability. Humpleman states the system may be configured in a number of different ways within the scope of the invention, and discloses a system that can provide both business and entertainment

services that cater to home users. Humpleman discloses the need to satisfy the rapid gains in technology and to find ways to increase desirability of having distribution system of services to the home user. Having a system that allows the home user to access to Internet while still being able to roam around the house proves to be desirable. It would have been obvious to one having ordinary skill in the art at the time the invention was made to adapt Buckley's wireless system into Humpleman's distribution setup.

Some other features explained in the remarks by the Applicant are disclosed in the specification of the instant application, but not expressed in the claimed discussed above. If some of the features of the instant application are indeed novel, the Applicant must provide more detail and structure of the novel features into the claims discussed above in order to overcome the references used in combination. It is concluded that Humpleman in combination with the Abraham and Buckley references continue to read on the claimed subject matter through obviousness. Therefore the claims are not allowed over the prior art.

### **Conclusion**

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following patent is cited to show the state of the art with respect to signal distribution

US Patent (5,526,034) to Hoarty et al

US Patent (5,684,799) to Bigham et al

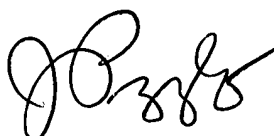
US Patent (5,642,351) to Baran

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alan Nguyen whose telephone number is 571-272-3089. The examiner can normally be reached on 9am-6pm ET, Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou can be reached on 571-272-3088. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9314.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AVN  
September 1, 2004



**JOHN PEZZLO**  
**PRIMARY EXAMINER**